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do give you a certain number of days certain to correct the citation, and during that time the agency does not do any further prohibitive action. However, we would like to add then "until necessary corrections are made, but in no case to exceed eleven months from the date the department places the prohibition on admissions or readmissions". In other words, if that home, rest home facility, is going ahead with the necessary corrective actions and as soon as they are completed, the department can lift that moratorium and not in an arbitrary fashion continue that moratorium or prohibition for the full eleven months which might be the case under the present terms of this wording. Then in part (2) of that section we would propose in line 21 to add after the word "corrections", "or satisfactory progress toward the corrections". Again following through with the same addition incorporates even current Department of Health policy which recognizes good faith, satisfactory progress towards making corrections when some reasonable delay or a delay beyond the control of an administrator can preclude the compliance with the correction. An example might be, as I stated before, a strike in the supplying industry from which a part has been ordered and there is an unnecessary delay for the delivery of the part, which would compel, of course, an extra time element in the solution of the problem. I would adoption of the parts (3) and (4).

PRESIDENT: Senator Higgins, do you wish recognition?

SENATOR HIGGINS: Yes. Mr. President, in the bill and in the present regulations of the Health Department, once an inspector has found a home in violation, that inspector has to within seven working days notify the nursing home administrator or the out of town owner and then the nursing home has 20 working days to respond to those citations and at that time they can request an informal conference with the Health Department to discuss those citations and then within 5 working days the department has to respond either affirming the citations or throwing out some of them, or perhaps finding none of them correct. I have seen many times in the Health Department's reports where citations have been issued and the Health Department has said, no, the nursing home is correct, our inspector is incorrect. So we are talking about working days and when you throw in the weekends, they actually are already given 65 days in which they could begin to comply if they feel that they really are in violation. My reasons for objecting to both of these amendments are this. The department needs to let those nursing homes who consistently violate the rules that they are not going to be able to continue to do it. In other words, the first amendment that Senator Johnson offered said that the violations, as soon as they were corrected the cap would be lifted. Well, they can correct some of those violations within a week and then in 30 days go back and repeat it again. And this again is in the Department of Health records, repeated violations.